

BORIS FELDMAN, State Bar No. 128838
DYLAN J. LIDDIARD, State Bar No. 203055
DOMINIQUE-CHANTALE ALEPIN, State Bar No. 241648
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 565-5100
Email: boris.feldman@wsgr.com;
dliddiard@wsgr.com; dalepin@wsgr.com

Attorneys for Defendant Bazaarvoice, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

United States of America,

Plaintiff,

v.

Bazaarvoice, Inc.,

Defendant.

) CASE NO.: 13-cv-0133 WHO
)
) **JOINT STIPULATION AND ORDER**
) **REGARDING ADMISSIBILITY**
) **AND USE OF DEPOSITION**
) **TESTIMONY OF RATING-SYSTEM**
) **AT TRIAL**

) Complaint Filed: January 10, 2013
) Judge: Hon. William Orrick
) Trial Date: September 23, 2013
)

WHEREAS, the parties have met and conferred concerning the admissibility of deposition testimony provided by Rating-System;

WHEREAS, Rating-System's headquarters are within 100 miles of the Court;

WHEREAS, Rating-System was deposed previously in this case;

WHEREAS, the parties believe in the interests of judicial efficiency and burden to the witness, the Court should consider as evidence the deposition testimony of Rating-System; and

WHEREAS, the parties believe that the testimony of Rating-System should be presented by playing video excerpts of the deposition of Rating-System.

1 **NOW THEREFORE**, it is hereby stipulated and agreed between Plaintiff and Defendant
2 through their respective counsel listed below, subject to the approval of the Court, that:

- 3 1. The parties shall be permitted to offer as substantive evidence the deposition
4 testimony of the corporate representative of Rating-System; and
5 2. The parties shall be permitted to play video excerpts of the deposition of Rating-
6 System at trial.

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8 **IT IS SO STIPULATED**

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10 Dated: September 22, 2013

By: /s/ Dominique-Chantale Alepin
Dominique-Chantale Alepin
Wilson Sonsini Goodrich & Rosati
650 Page Mill Rd
Palo Alto, CA 94304
Telephone: (650) 493-9300
Facsimile: (650) 849-6811
E-mail: dalepin@wsgr.com

Attorneys for Defendant Bazaarvoice, Inc.

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17 Dated: September 22, 2013

By: /s/ Peter K. Huston
Peter K. Huston
Assistant Chief
United States Department of Justice
Antitrust Division
450 Golden Gate Ave.
San Francisco, CA 94102
Telephone: (415) 436-6660
Facsimile: (415) 436-6687
E-mail: peter.huston@usdoj.gov

Attorneys for Plaintiff
United States of America

ORDER

Pursuant to the parties' stipulation, **IT IS SO ORDERED.**

Dated: September 23, 2013

A handwritten signature in black ink, appearing to read "W. A. Orrick", written over a horizontal line.

Hon. William Orrick
United States District Court Judge

ATTESTATION

I, Dominique-Chantale Alepin, am the ECF User whose identification and password are being used to file the **JOINT STIPULATION AND [PROPOSED] ORDER REGARDING ADMISSIBILITY OF DEPOSITION TESTIMONY**. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Peter K. Huston has concurred in this filing.

Dated: September 22, 2013

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Dominique-Chantale Alepin
Dominique-Chantale Alepin

Attorneys for Defendant Bazaarvoice, Inc.